

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

LOUIS BAILEY

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:08cv253-P-A

**DOLLAR GENERAL CORPORATION
and JOHN DOES 1-10**

DEFENDANTS

ORDER

This cause is before the Court on the defendant's Motion for Summary Judgment [39]. The Court, having reviewed the motion, the response, the briefs of the parties, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motion is well-taken and should be granted. Plaintiff's Title VII claim is founded on retaliation. Review of the applicable legal authorities in conjunction with the record evidence persuade the Court that plaintiff cannot demonstrate a triable issue of fact on causal connection—an element necessary to his prima facie case. Moreover, even assuming he could do so, the evidence before the Court likewise fails to demonstrate a genuine issue of material fact concerning whether the legitimate nonretaliatory reason for plaintiff's discharge, put forward by the defendant, was simply a pretext for unlawful retaliation. Finally, the evidence is likewise insufficient to create a genuine issue of fact as to whether retaliation was a motivating factor in the defendant's decision to discharge plaintiff. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion for Summary Judgment [39] is well-taken and should be, and hereby is, GRANTED.

SO ORDERED, this the 22nd day of September, 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE